

**Form For Filing
Administrative Regulations**

**Agency: State of Nevada Board of
Examiners for Social Workers**

FOR EMERGENCY REGULATIONS ONLY
Effective date _____
Expiration date _____
_____ Governor's signature

Classification: **PROPOSED** **ADOPTED BY AGENCY** **EMERGENCY**

Brief description of action: During the November 20, 2015 Board of Examiners for Social Workers (Board) meeting, the Board approved the finalized draft of the proposed regulation changes. On February 7, 2015, the formatted Board approved proposed regulations were submitted to the Legislative Counsel Bureau (LCB). The Board received notification that the submitted proposed regulations were received by the LCB and assigned the number "R018-16" on February 11, 2016. Following review by the Board's Executive Director and the Deputy Legislative Counsel to address the wording on certain parts of the proposed regulation in order to better address the Board's intended language, a copy of the revised proposed regulation was received by the Board on April 18, 2016. The Board conducted a public workshop to receive comments on the proposed regulation on April 15, 2016 as well as a hearing and notice of intent to act upon a regulation, conducted June 17, 2016. The Board believes it has properly notified any and all interested parties, posted all information pertaining to the proposed regulation, including the small business impact statement, requested solicitation of comments from interested members of the public and properly posted its findings, pursuant to Nevada Revised Statute and the Nevada Administrative Code. This information is provided in further detail in the Legislative Review of Adopted Regulations.

Authority citation other than 233B: NRS 641B.160 and NRS 641B.280.

Notice date: May 13, 2016

Date of Adoption by Agency: June 17, 2016

Hearing date: April 15, 2016

**ADOPTED REGULATION OF THE
BOARD OF EXAMINERS FOR SOCIAL WORKERS**

LCB File No. R018-16

§§1-4 and 8-10 become effective on June 28, 2016

§§5 and 6 become effective on July 1, 2016

§7 becomes effective on January 1, 2017

EXPLANATION – Matter in *italics* is new; matter in brackets [~~omitted-material~~] is material to be omitted.

AUTHORITY: §1, NRS 641B.160 and 641B.270 and section 45 of Senate Bill No. 68, chapter 497, Statutes of Nevada 2015, at page 3034; §2, NRS 641B.160 and 641B.230; §3, NRS 641B.160 and 641B.240; §§4, 9 and 10, NRS 641B.160; §§5-8, NRS 641B.160 and 641B.280, as amended by section 5 of Assembly Bill No. 93, chapter 403, Statutes of Nevada 2015, at page 2288.

A REGULATION relating to social workers; revising the requirements for licensure by endorsement; prescribing requirements relating to the supervised, postgraduate hours of social work that a person must complete to be licensed as a clinical or independent social worker; requiring a licensee as an associate in social work, social worker, clinical social worker or independent social worker to receive instruction each year on evidence-based suicide prevention and awareness; removing authorization for the delivery of continuing education in certain forms; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law authorizes the Board of Examiners for Social Workers to issue a license by endorsement to engage in social work to an applicant who: (1) holds a corresponding and unrestricted license to engage in social work in the District of Columbia or any state or territory of the United States; (2) has been continuously and actively engaged in social work for the past 5 years; and (3) submits certain other proof to the Board. (Section 45 of Senate Bill No. 68, chapter 497, Statutes of Nevada 2015, at page 3034) **Section 1** of this regulation revises existing regulations concerning licensure by endorsement to provide that the Board will grant a license by endorsement to a social worker, clinical social worker or independent social worker who: (1) meets those requirements; and (2) provides evidence to the Board that he or she has been continuously licensed for at least the 5 years immediately preceding the date of application.

Existing law authorizes the Board to grant a license without examination to a person who holds a current license to engage in the practice of social work in a state whose licensing requirements are substantially equal to those in this State. (NRS 641B.270) Existing law also prescribes the requirements to obtain a license as an independent or clinical social worker,

including a requirement that the applicant have completed 3,000 hours of supervised, postgraduate social work approved by the Board. (NRS 641B.230, 641B.240) **Section 1** provides that the Board will deem an applicant for licensure by endorsement as a clinical social worker who has been licensed in the District of Columbia or another state or territory of the United States for less than 5 years to have completed the required supervised, postgraduate social work if the applicant has completed at least: (1) 1,000 hours of supervised, postgraduate clinical social work under the supervision of a licensed clinical social worker; (2) 1,000 hours of supervised, postgraduate clinical social work under the supervision of a licensed clinical social worker, licensed clinical psychologist or licensed, certified psychiatrist; and (3) 1,000 hours of additional supervised, postgraduate social work under the supervision of a licensed clinical social worker, licensed clinical psychologist or licensed, certified psychiatrist. **Section 1** provides that the Board will deem an applicant for licensure by endorsement as an independent social worker who has been licensed in the District of Columbia or any state or territory of the United States for less than 5 years to have met the requirements for supervised, postgraduate social work if the applicant provides evidence that he or she has completed 3,000 hours of supervised, postgraduate social work supervised by a licensed clinical or master's level social worker.

Existing regulations require an applicant for licensure as an independent social worker to have completed an internship consisting of at least 3,000 hours of supervised, postgraduate experience in a program approved by the Board. However, upon application, the Board may approve and accept supervised, postgraduate hours completed in an agency that provides social work services by an applicant who: (1) has been continually licensed as a social worker or an associate in social work for 10 years; and (2) has been continuously supervised by a licensed social worker for 5 of those 10 years. (NAC 641B.140) **Section 2** of this regulation provides that: (1) such an applicant may be licensed in this State, the District of Columbia or any other state or territory of the United States; and (2) the Board will only approve and accept such supervised, postgraduate hours if the hours were supervised by a master's level social worker and the applicant has passed an examination approved by the Board.

Existing regulations require an applicant for licensure as a clinical social worker to have completed an internship of not less than 3,000 hours of supervised, postgraduate social work under the supervision of a licensed clinical social worker. (NAC 641B.150, 641B.155) **Section 3** of this regulation: (1) requires at least 1,000 hours of such supervised, postgraduate social work to be supervised by a licensed clinical social worker and provides that the remaining hours may be supervised by a licensed clinical social worker, licensed clinical psychologist or licensed, certified psychiatrist; and (2) provides that an applicant who is not licensed as a clinical social worker but has performed postgraduate clinical social work supervised by a licensed clinical social worker, licensed clinical psychologist or licensed, certified psychiatrist in another state within the immediately preceding 3 years may submit the hours for consideration as part of an internship approved by the Board. **Section 3** also removes a provision authorizing the Board to approve supervised, postgraduate clinical social work that was not supervised by an agency if the social work was completed before January 1, 1990, by an applicant for licensure as a clinical social worker who holds a license in another state.

Section 4 of this regulation authorizes a licensed clinical psychologist or a licensed, certified psychiatrist who meets certain requirements to become a supervisor of an intern.

Existing regulations: (1) require a person who wishes to become a supervisor of an intern to demonstrate to the Board that his or her current practice includes at least 15 hours of independent practice or clinical practice in the area of psychotherapeutic methods and techniques; and (2) provide that the Board may waive that requirement for good cause. (NAC 641B.155) **Section 4** removes a provision stating that practice within the last 2 years which is equivalent to that requirement constitutes good cause for waiver of the requirement.

Existing regulations prohibit a person from supervising an intern if the person is subject to an order issued by the Board for disciplinary action. (NAC 641B.155) **Section 4** additionally prohibits a person from supervising an intern if the person is subject to an order issued by any other licensing board in this State, the District of Columbia or any other state or territory of the United States.

Existing law requires the Board to require an applicant for the renewal of a license to complete certain continuing education, including 2 hours of instruction each year on evidence-based suicide prevention and awareness. (NRS 641B.280, as amended by section 5 of Assembly Bill No. 93, chapter 403, Statutes of Nevada 2015, at page 2288) **Section 5** of this regulation: (1) requires a licensee to complete 2 hours of continuing education each year on evidence-based suicide and prevention; (2) provides that such continuing education may be counted towards the 30 hours of continuing education that a licensee is required to complete every 2 years; and (3) provides that the Board will not waive the requirement to complete such continuing education under any circumstances. **Section 6** of this regulation requires every application for the renewal of a license to be accompanied by a certificate and an affidavit evidencing completion of the 2 hours of continuing education on evidence-based suicide and prevention. **Section 8** of this regulation adds evidence-based suicide prevention and awareness to the list of acceptable subject matter for continuing education.

Existing regulations prescribe acceptable delivery methods for a program of continuing education. (NAC 641B.189) **Section 7** of this regulation removes requirements that a continuing education program must be limited in time and be interactive. **Section 7** also removes authorization for the delivery of continuing education through: (1) a home study course; (2) a self-directed learning program; or (3) a distance learning course that does not require participants to complete an examination before beginning the course and after completing the course.

Existing regulations prohibit a licensee from soliciting or entering into a dual relationship with a client, intern or person who is supervised by the licensee: (1) during the time that the client is receiving professional services from, or the intern or person is being supervised by, the licensee; and (2) for at least 2 years after the termination of the professional relationship, internship or period of supervision. (NAC 641B.205) **Section 9** of this regulation defines “dual relationship” as a relationship between a licensee and a client to whom the licensee provides professional services or an intern or person who is supervised by the licensee that also includes another professional, social or business relationship with the client, intern or other person.

Section 1. NAC 641B.126 is hereby amended to read as follows:

641B.126 1. An applicant for licensure as a social worker, *independent social worker or clinical social worker* who holds, in ~~another~~ *the District of Columbia or any state* ~~or territory of the United States~~, at least an equivalent license that is in good standing to engage in the practice of social work as described in this chapter and chapter 641B of NRS and who satisfies the requirements of NRS 641B.200 and NRS 641B.220, 641B.230 or 641B.240, *as applicable*, may be licensed by endorsement by the Board to engage in the practice of social work *as a social worker, independent social worker or clinical social worker* in this State by the Board without taking the examination prescribed by the Board if ~~if~~:

~~—(a) The~~ *the* applicant provides ~~[evidence-satisfactory]~~ to the Board :

(a) The information and documents required pursuant to section 45 of Senate Bill No. 68, chapter 497, Statutes of Nevada 2015, at page 3034; and

(b) Evidence satisfactory to the Board that the applicant has ~~successfully passed the appropriate licensing examination described in subsection 2 of NAC 641B.105 within the immediately preceding 15 years; or~~

~~—(b) The applicant:~~

~~——(1) Has successfully passed the appropriate licensing examination described in subsection 2 of NAC 641B.105 or a substantially equivalent examination in the state in which the applicant holds a license; and~~

~~——(2) Provides evidence satisfactory to the Board that the applicant has held the license for at least 20 years and that at least 50 percent of the practice of the applicant for the immediately preceding 10 years has been in the practice of social work.~~

~~—2. An applicant for licensure as a clinical social worker or an independent social worker who holds, in another state, at least an equivalent license that is in good standing to engage in the~~

~~practice of social work as described in this chapter and chapter 641B of NRS and who satisfies the requirements of NRS 641B.200 and NRS 641B.230 or 641B.240, as applicable, may be licensed by endorsement by the Board if the applicant provides evidence satisfactory to the Board that the applicant has successfully passed the appropriate licensing examination described in subsection 2 of NAC 641B.105 within the immediately preceding 15 years or a substantially equivalent examination in the state in which the applicant holds the license and:~~

~~—(a) If the applicant is applying for licensure by endorsement to engage in social work as a clinical social worker, provides evidence satisfactory to the Board that the applicant has held a license to engage in social work as a clinical social worker for at least 10 years and that at least 50 percent of the practice of the applicant for the immediately preceding 7 years has been in the practice of clinical social work or the supervision of clinical social work; or~~

~~—(b) If the applicant is applying for licensure by endorsement to engage in social work as an independent social worker, provides evidence satisfactory to the Board that the applicant has held a license to engage in social work as an independent social worker for at least 10 years and that at least 50 percent of the practice of the applicant has been in the independent practice of social work or the supervision of the independent practice of social work.~~

~~—3. *If] been continuously licensed to engage in the practice of social work as a social worker, independent social worker or clinical social worker, as applicable, in the District of Columbia or any state or territory of the United States for at least the 5 years immediately preceding the date on which the applicant submits his or her application to the Board.*~~

2. *The Board will deem an applicant for licensure by endorsement as a clinical social worker or an independent social worker [does not satisfy the requirements of subsection 1 or 2, the Board will approve the applicant's] who has been licensed as a clinical social worker or*

independent social worker, as applicable, for less than 5 years in the District of Columbia or any state or territory of the United States and satisfies the requirements of NRS 641B.200 and NRS 641B.230 or 641B.240, as applicable, to have fulfilled the requirements for supervised, postgraduate social work [and accept it towards the hours of supervision] that are required for licensure if:

(a) The applicant provides evidence satisfactory to the Board that the applicant completed at least ~~{3000}~~ :

(1) If the applicant is applying for licensure by endorsement as a clinical social worker:

(I) 1,000 hours of supervised, postgraduate clinical social work supervised by a licensed clinical social worker, that has been accepted by the District of Columbia or the state or territory which licensed the applicant as a clinical social worker;

(II) 1,000 hours of supervised, postgraduate clinical social work supervised by a licensed clinical social worker, a licensed clinical psychologist or a psychiatrist who is licensed to practice medicine and certified by a board that is recognized by the American Board of Medical Specialties or the American Osteopathic Association, or a successor organization, or that is approved by the Board, that has been accepted by the District of Columbia or the state or territory which licensed the applicant as a clinical social worker; and

(III) 1,000 hours of supervised, postgraduate social work, which can be clinical or nonclinical, supervised by a licensed clinical social worker, a licensed clinical psychologist or a psychiatrist who is licensed to practice medicine and certified by a board that is recognized by the American Board of Medical Specialties or the American Osteopathic Association, or a successor organization, or that is approved by the Board, that has been accepted by the District of Columbia or the state or territory which licensed the applicant as a clinical social worker ; or

(2) *If the applicant is applying for licensure by endorsement as an independent social worker [;], 3,000 hours of supervised, postgraduate social work supervised by a licensed clinical social worker or a licensed master's level social worker that has been accepted by the District of Columbia or the state or territory which licensed the applicant as an independent social worker;*

(b) ~~Except as otherwise provided in subsection 6 of NAC 641B.150, a]~~ *The licensing board that accepted the supervised, postgraduate clinical social work submits verification of the hours of work and that each social worker, psychologist or psychiatrist who supervised the supervised, postgraduate clinical social work is licensed in and practices in the District of Columbia or the state or territory which licensed the applicant directly to the Board in a manner that is approved by the Board; and*

(c) The Board determines that the experience of the applicant is substantially equivalent to or exceeds the current standards established by the Board for those applicants who complete their supervised, postgraduate social work in this State.

[4.] 3. An applicant for licensure by endorsement pursuant to this section must submit to the Board:

(a) A written application on a form prescribed by the Board;

(b) The applicable fee;

(c) Except as otherwise provided in subsection [5.] 4, proof that the license issued by the *District of Columbia or the other state or territory or any other license or credential issued to the applicant by the District of Columbia or another state [;] or territory:*

(1) Is currently valid and in good standing; and

(2) Has never been suspended, revoked or otherwise restricted for any reason; and

(d) Proof that the applicant is of good moral character as it relates to the practice of social work.

~~{5.}~~ 4. If an applicant has had a license or credential that was issued by *the District of Columbia or* another state *or territory* suspended, revoked or otherwise restricted for any reason, the Board will review and consider the specific facts and circumstances surrounding the suspension, revocation or restriction and may issue or decline to issue a license to an applicant based upon its review.

Sec. 2. NAC 641B.140 is hereby amended to read as follows:

641B.140 1. Except as otherwise provided in ~~{subsection}~~ *subsections 1 and 2* of NAC 641B.126, an applicant for licensure as a licensed independent social worker must complete an internship consisting of not less than 3,000 hours of supervised, postgraduate social work. Except as otherwise provided in ~~{subsections}~~ *subsection 3*, ~~{and 4,}~~ the required work must be:

(a) Undertaken in a program that is approved by the Board before the applicant begins the program. The program must include, without limitation:

- (1) An examination, if deemed necessary by the Board;
- (2) An appropriate setting, as determined by the Board;
- (3) Supervision of the applicant by a supervisor who has been approved by the Board; and
- (4) A plan of supervision that has been approved by the Board.

(b) Completed not earlier than 2 years or later than 3 years after the Board approves the program. For good cause, the Board will grant a specific extension of this period. The Board will disallow credit for all hours of internship accrued under the program if the required work does not result in the issuance of a license to engage in social work as an independent social worker within 3 years after the end of the program.

(c) Conducted pursuant to the requirements and standards set forth by the Board. For good cause, the Board will withdraw its approval of a particular program. Good cause for withdrawal of approval of a program includes, but is not limited to:

(1) Except as otherwise provided in subsection 2, the inability of a program to sustain, after 2 full, consecutive calendar quarters, the minimum number of hours necessary to complete the program as required by paragraph (b);

(2) An investigation or finding by a local, state or federal authority pertaining to alleged practices conducted at the setting of the program which may be deemed unethical or unsafe under this chapter or chapter 641B of NRS; or

(3) An investigation by the Board of a licensee who engages in practices which may be deemed unethical or unsafe under this chapter or chapter 641B of NRS while supervising an intern as an owner, operator, employee or contractor of an agency that is part of a program of internship.

2. The Board may require a program to include additional settings pursuant to subparagraph (2) of paragraph (a) of subsection 1 if the program is unable to sustain, after 2 full, consecutive calendar quarters, the minimum number of hours necessary to complete the program as required by paragraph (b) of subsection 1. The Board will authorize a program to be conducted at not more than three agencies simultaneously.

3. Upon application to the Board by an applicant who is currently a ~~licensed~~ social worker or ~~a licensed~~ an associate in social work ~~licensed in this State, the District of Columbia or any other state or territory of the United States~~, the Board may approve and accept for licensure supervised, postgraduate hours completed in an agency that provides social work services if the applicant:

(a) Has been continually licensed as a social worker for the immediately preceding 10 years;
~~{and}~~

(b) Provides evidence satisfactory to the Board of continuous supervision by a licensed *master's level* social worker for at least 5 of the immediately preceding 10 years ~~{-}~~; *and*

(c) *Has passed an examination recognized and approved by the Board.*

4. ~~{An applicant who is not licensed as an independent social worker in another state but has completed 3,000 hours of supervised, postgraduate social work in another state within the immediately preceding 10 years may submit to the Board, for its consideration as part of a program approved by the Board, evidence of the satisfactory completion of that work and documentation that his or her supervisor was either a clinical social worker or a master's level social worker and was also qualified to supervise in that state. After 2 full, consecutive calendar quarters of a program, the}~~ *The Board will approve {that} work submitted by an applicant who is not licensed as an independent social worker in the District of Columbia or another state or territory pursuant to subsection 3 and accept it towards the hours of supervision that are required for licensure pursuant to subsection 1 if {-*

~~(a) A licensing board that accepted the supervised, postgraduate social work submits verification of the hours of work directly to the Board in a manner that is approved by the Board; and~~

~~(b) The}~~ *the Board determines that the experience of the applicant is substantially equivalent to or exceeds the current standards established by the Board for those applicants who complete their supervised, postgraduate social work in this State.*

5. The following activities do not qualify as supervised, postgraduate social work:

(a) Instruction in techniques or procedures through classes, workshops or seminars.

(b) Orientational programs.

(c) Practice which is not under the supervision of an agency. The Board will consider a person to be under the supervision of an agency if:

(1) Each client who is served by the intern is a client of the agency and that fact is clearly set forth on each contract, release, agreement for financial reimbursement and billing statement which relates to that client;

(2) All records regarding clients belong to the agency and the agency has provided for their confidentiality and safekeeping;

(3) The agency appoints a specific employee of the agency to act as the board-approved supervisor of the intern, if such an employee is available, or otherwise approves a nonemployee to do so;

(4) The appointed supervisor reviews the work of the intern in the manner required for supervisors of interns;

(5) The appointed supervisor is granted complete access to all records of the agency related to the practice of the intern; and

(6) Any compensation for the services of the intern is provided directly by the agency.

(d) Any other activity that the Board determines is not within the scope of the practice of social work.

Sec. 3. NAC 641B.150 is hereby amended to read as follows:

641B.150 1. Except as otherwise provided in ~~{subsection}~~ *subsections 1 and 2* of NAC 641B.126, an applicant for licensure as a licensed clinical social worker must complete an internship consisting of not less than 3,000 hours of supervised, postgraduate clinical social work. Except as otherwise provided in subsection ~~{4,}~~ 5, the required work must be:

(a) Undertaken in a program that is approved by the Board before the applicant begins the program. The program must include, without limitation:

- (1) An examination, if deemed necessary by the Board;
- (2) An appropriate setting, as determined by the Board;
- (3) Supervision of the applicant by a supervisor who has been approved by the Board; and
- (4) A plan of supervision that has been approved by the Board.

(b) Completed not earlier than 2 years or later than 3 years after the Board approves the program. For good cause, the Board will grant a specific extension of this period. The Board will disallow credit for all hours of internship accrued under the program if the required work does not result in the issuance of a license to engage in social work as a clinical social worker within 3 years after the end of the program.

(c) Conducted pursuant to the requirements and standards set forth by the Board. For good cause, the Board will withdraw its approval of a particular program. Good cause for withdrawal of approval of a program includes, ~~but is not limited to:~~ *without limitation:*

(1) Except as otherwise provided in subsection 2, the inability of a program to sustain, after 2 full, consecutive calendar quarters, the minimum number of hours necessary to complete the program as required by paragraph (b);

(2) An investigation or finding by a local, state or federal authority pertaining to alleged practices conducted at the setting of the program which may be deemed unethical or unsafe under this chapter or chapter 641B of NRS; or

(3) An investigation by the Board of a licensee who engages in practices which may be deemed unethical or unsafe under this chapter or chapter 641B of NRS while supervising an

intern as an owner, operator, employee or contractor of an agency that is part of a program of internship.

2. The Board may require a program to include additional settings pursuant to subparagraph (2) of paragraph (a) of subsection 1 if the program is unable to sustain, after 2 full, consecutive calendar quarters, the minimum number of hours necessary to complete the program as required by paragraph (b) of subsection 1. The Board will authorize a program to be conducted at not more than three agencies simultaneously.

3. At least 2,000 hours of the supervised, postgraduate clinical social work required by subsection 1 must be in the area of psychotherapeutic methods and techniques to persons, families and groups to help in the diagnosis and treatment of mental and emotional conditions. Unless otherwise approved by the Board, an average of 25 hours per week, not to exceed 325 hours in each quarter, of postgraduate hours in the use of psychotherapeutic methods and techniques will be accepted toward satisfying this requirement. The remaining hours required by subsection 1 may be completed in other areas of clinical social work.

4. *At least 1,000 hours of the supervised, postgraduate clinical social work required by subsection 1 must be supervised by a licensed clinical social worker. The remaining hours required by subsection 1 may be supervised by a licensed clinical social worker, a licensed clinical psychologist or a psychiatrist who is licensed to practice medicine and certified by a board that is recognized by the American Board of Medical Specialties or the American Osteopathic Association, or a successor organization, or that is approved by the Board.*

5. An applicant who is not licensed as a clinical social worker but has performed supervised, postgraduate clinical social work in *the District of Columbia or another state or territory of the United States* within the immediately preceding 3 years may submit to the Board, for its

consideration as part of a program approved by the Board, evidence of the satisfactory completion of that work and documentation that his or her supervisor was a clinical social worker, *a licensed clinical psychologist or a psychiatrist who is licensed to practice medicine and certified by a board that is recognized by the American Board of Medical Specialties or the American Osteopathic Association, or a successor organization, or that is approved by the Board*, and was qualified to supervise in ~~that~~ *the District of Columbia or the other state* ~~or territory~~. After the applicant has completed not less than 1,000 hours of supervised, postgraduate clinical social work and has passed an examination required, if applicable, pursuant to subparagraph (1) of paragraph (a) of subsection 1 pursuant to a program approved by the Board, the Board will approve that work and accept it towards the hours of supervision that are required for licensure pursuant to subsection 1 if:

(a) A licensing board that accepted the supervised, postgraduate clinical social work submits verification of the hours of work directly to the Board in a manner that is approved by the Board; and

(b) The Board determines that the experience of the applicant is substantially equivalent to or exceeds the current standards established by the Board for those applicants who complete their supervised, postgraduate clinical social work in this State.

~~5~~ 6. The following activities do not qualify as supervised, postgraduate clinical social work:

- (a) Instruction in techniques or procedures through classes, workshops or seminars.
- (b) Orientational programs.
- (c) Role-playing as a substitute for actual social work.
- (d) Psychotherapy of the intern himself or herself.

(e) ~~{Except as otherwise provided in subsection 6, practice}~~ *Practice* which is not under the supervision of an agency. The Board will consider a person to be under the supervision of an agency if:

(1) Each client who is served by the intern is a client of the agency and that fact is clearly set forth on each contract, release, agreement for financial reimbursement and billing statement which relates to that client;

(2) All records regarding clients belong to the agency and the agency has provided for their confidentiality and safekeeping;

(3) The agency appoints a specific employee of the agency to act as the board-approved supervisor of the intern, if such an employee is available, or otherwise approves a nonemployee to do so;

(4) The appointed supervisor reviews the work of the intern in the manner required for supervisors of interns;

(5) The appointed supervisor is granted complete access to all records of the agency related to the practice of the applicant; and

(6) Any compensation for the services of the intern is provided directly by the agency.

(f) Any other activity that the Board determines is not within the scope of the practice of clinical social work.

~~{6. Any supervised, postgraduate clinical social work completed before January 1, 1990, by an applicant who holds an equivalent license from another state that is in good standing to engage in the practice of clinical social work as described in this chapter and chapter 641B of NRS is not required to be completed under the supervision of an agency if the Board determines that:~~

~~—(a) There is good cause for waiving the requirement that the practice be under the supervision of an agency; and~~

~~—(b) The experience of the applicant is substantially equivalent to or exceeds the current standards established by the Board.]~~

Sec. 4. NAC 641B.155 is hereby amended to read as follows:

641B.155 1. To become a supervisor of an intern, a person must:

(a) Be approved by the Board to serve as the supervisor of an intern.

(b) Be a licensed independent social worker or a licensed clinical social worker if supervising an intern who is seeking a license as a licensed independent social worker, or be a licensed clinical social worker, *a licensed clinical psychologist or a psychiatrist who is licensed to practice medicine and certified by a board that is recognized by the American Board of Medical Specialties or the American Osteopathic Association, or a successor organization, or that is approved by the Board*, if supervising an intern who is seeking a license as a licensed clinical social worker.

(c) Have at least 3 years of experience, *after obtaining all applicable licenses and certifications*, as a licensed clinical social worker ~~{or}~~, a licensed independent social worker ~~{or have equivalent experience acceptable to the Board.}~~, *a licensed clinical psychologist or a psychiatrist who is licensed to practice medicine and certified by a board that is recognized by the American Board of Medical Specialties or the American Osteopathic Association, or a successor organization, or that is approved by the Board.*

(d) Demonstrate to the Board that his or her current practice:

(1) If he or she is supervising an intern who is seeking a license as a licensed independent social worker, consists of not less than 15 hours per month of independent practice.

(2) If he or she is supervising an intern who is seeking a license as a licensed clinical social worker, consists of not less than 15 hours per month of clinical practice in the area of psychotherapeutic methods and techniques.

↳ The Board may waive the requirements of this paragraph if the Board determines that there is good cause . ~~[, including, without limitation, practice within the last 2 years which is equivalent to the requirements of this paragraph.]~~

(e) If deemed necessary by the Board, successfully complete a written examination.

(f) If deemed necessary by the Board, successfully complete any training specified by the Board.

2. A person will not be approved as a supervisor of an intern if he or she is subject to an order issued by the Board *or any other professional licensing board in this State, the District of Columbia or any other state or territory of the United States* for disciplinary action.

3. A supervisor shall not:

(a) Reside with the intern, have an intimate personal relationship with the intern or be related to the intern by blood or marriage;

(b) Have had the intern as a client;

(c) Have had the intern as a supervisor; or

(d) Supervise more than three interns at one time without prior approval from the Board.

4. The Board will maintain a list of persons who have been approved by the Board to supervise interns and will provide, upon request, a copy of the list to any person who is applying to become an intern.

5. Each agreement pursuant to which a supervisor agrees to supervise an intern and each plan of supervision setting forth the requirements of NAC 641B.160 must be submitted to the

Board for its approval. The Board will, when it deems the limitation appropriate, disapprove a proposal for the supervision of a particular intern by a particular supervisor.

6. A supervisor shall keep a record of the internship program which must include, without limitation, the content of meetings and a description of supervisory activities. Such a record must be kept for a minimum of 5 years after the termination of the internship program.

7. The Board will not recognize time spent by an intern:

(a) Under the supervision of a person who has not been approved by the Board to supervise interns; or

(b) In an arrangement covered by an agreement relating to the supervision of the intern which has not been approved by the Board.

Sec. 5. NAC 641B.187 is hereby amended to read as follows:

641B.187 1. Except as otherwise provided in ~~{subsections 4 and 5,}~~ **subsection 3**, to renew his or her license:

(a) A licensee who is a licensed associate in social work or a licensed social worker must complete at least 30 continuing education hours every 2 years, of which:

(1) Two hours must relate to ethics in the practice of social work, including, without limitation, issues addressing professional boundaries, confidentiality or dual relationships within that practice; ~~{and}~~

(2) ***Four hours must relate to evidence-based suicide prevention and awareness, 2 hours of which must be completed each year, as required pursuant to NRS 641B.280, as amended by section 5 of Assembly Bill No. 93, chapter 403, Statutes of Nevada 2015, at page 2288; and***

(3) Unless otherwise approved by the Board, 10 hours must be in the field of practice of the licensee; and

(b) A licensee who is a licensed clinical social worker or licensed independent social worker must complete at least 36 hours of continuing education every 2 years, of which:

(1) Three hours must relate to ethics in the practice of social work, including, without limitation, issues addressing professional boundaries, confidentiality or dual relationships within that practice; ~~and~~

(2) *Four hours must relate to evidence-based suicide prevention and awareness, 2 hours of which must be completed each year, as required pursuant to NRS 641B.280, as amended by section 5 of Assembly Bill No. 93, chapter 403, Statutes of Nevada 2015, at page 2288; and*

(3) Unless otherwise approved by the Board, 12 hours must be in the field of practice of the licensee.

2. To fulfill the continuing education requirements of this section, the continuing education hours for all classes of licensure must be completed in programs of continuing education approved by the Board that maintain, improve or enhance the knowledge and competency of a licensee in the practice of social work.

3. *Except as otherwise provided in subsection 7:*

(a) Upon the request of the licensee, the Board may waive the continuing education requirements of this section for a licensee who is at least ~~{70}~~ 65 years of age and is retired from the practice of social work.

~~{4.}~~ (b) The Board may renew the license of a licensee who fails to complete ~~{30}~~ the continuing education hours *required pursuant to subsection 1* during a 2-year period if it finds good cause to do so.

~~{5.}~~ (c) The Board will renew the license of a licensee during the period in which he or she is enrolled in a program leading to:

~~[(a)]~~ (1) A baccalaureate or master's degree in social work from a college or university that is accredited by or is a candidate for accreditation by the Council on Social Work Education; or

~~[(b)]~~ (2) A doctoral degree in social work,

↪ and for one renewal period after graduation from the program. Before renewing the license, proof of enrollment or graduation within the past 2 years must be submitted to the Board by the licensee.

~~[6.]~~ 4. If the Board renews the license of a licensee pursuant to *paragraph (b) of subsection [4.] 3*, it may require the licensee to complete ~~[not more than 30]~~, *during the 2-year period immediately following the renewal of the license*, additional continuing education hours ~~[during the next 2-year period]~~.

~~—7.]~~ *not exceeding the number of hours that the licensee would have otherwise been required to complete pursuant to subsection 1 during the period for which continuing education requirements were waived.*

5. A licensee may not take a program of continuing education which presents the same material he or she took during the previous 2-year period.

~~[8.]~~ 6. A licensee is subject to disciplinary action if he or she:

(a) Within 30 days after receiving a request from the Board, fails to provide to the Board information of his or her participation in a program of continuing education; or

(b) Submits to the Board false or inaccurate information regarding his or her participation in a program of continuing education.

7. *The Board will not renew the license of a licensee who has not completed the continuing education required pursuant to subparagraph (2) of paragraph (a) or subparagraph (2) of paragraph (b) of subsection 1, as applicable.*

Sec. 6. NAC 641B.188 is hereby amended to read as follows:

641B.188 1. Except as otherwise provided in ~~{subsections 4 and 5}~~ *subsection 2 and in subsection 3* of NAC 641B.187, every other application for renewal of a license must be accompanied by an affidavit evidencing the completion of ~~{at least 30}~~ *the* continuing education hours *required pursuant to NAC 641B.187* during the 2 years immediately preceding the date of the application.

2. *Every application for the renewal of a license must be accompanied by the certificate provided to the licensee pursuant to NAC 641B.194 evidencing the completion of the continuing education hours required pursuant to subparagraph (2) of paragraph (a) or subparagraph (2) of paragraph (b) of subsection 1, as applicable, of NAC 641B.187 during the year immediately preceding the date by which the license is required to be renewed and an affidavit evidencing the completion of such continuing education.*

3. The Board will randomly select affidavits ~~{to verify}~~ *and request proof from the affiant* of the authenticity of the information contained therein.

~~{3.}~~ 4. Each licensee shall maintain sufficient documentation which verifies the information set forth in the affidavit for at least 3 years. The inability to provide evidence supporting the information in the affidavit subjects the licensee to disciplinary action.

Sec. 7. NAC 641B.189 is hereby amended to read as follows:

641B.189 1. A program of continuing education that demonstrates the knowledge and competency of a licensee must be approved by the Board. Except as otherwise provided in this subsection, to obtain the approval of the Board, a continuing education program must ~~{be limited in time, be interactive and}~~ provide independent verification that the licensee has successfully completed the program. ~~{A continuing education program that is not limited in time or~~

~~interactive may be approved by the Board if the program meets specific criteria set forth by the Board.}] A continuing education program may be in the form of:~~

(a) Workshops or conferences, including, without limitation, ~~{teleconferences;} live presentations delivered using videoconferencing or the Internet that allow participants to interact with the presenter in real time;~~

(b) ~~{Distance}~~ *Except as otherwise provided in paragraph (d) of subsection 4, distance learning courses;*

(c) ~~{Home study courses;~~

~~—(d) A self directed learning program which has been approved by the Board before the licensee begins the program;~~

~~—(e)} Publication of an article or paper by the licensee in a professional journal or other publication that is approved by the Board;~~

~~{(f)} (d) A one-time presentation, not to exceed 15 hours, of an academic course, in-service training workshop or seminar by the licensee;~~

~~{(g)} (e) Successful completion of an academic course of instruction at a regionally accredited college or university;~~

~~{(h)} (f) Attendance by the licensee at a workshop or public hearing conducted by the Board;~~
or

~~{(i)} (g) Any other kind of program or course if the Board has, at the request of the licensee wishing to take the program or course as continuing education, approved the program or course as a program of continuing education.~~

2. A licensee may apply, if licensed as a licensed associate in social work or a licensed social worker, for not more than 15 hours of continuing education credit or, if licensed as a

licensed independent social worker or a licensed clinical social worker, for not more than 18 hours of continuing education credit for distance learning courses ~~{, home study courses and self directed learning programs}~~ during a 2-year period, except that the Board may approve additional hours of such continuing education if the licensee can demonstrate good cause for the approval of the additional hours.

3. A licensee may apply, if licensed as a licensed associate in social work or a licensed social worker, for not more than 2 hours of continuing education credit or, if licensed as a licensed independent social worker or a licensed clinical social worker, for not more than 4 hours of continuing education credit relating to ethics for any period in which the licensee serves as a member of a committee or board of review that:

- (a) Considers issues or applies any policy, law or regulation relating to ethics; and
- (b) Is approved by the Board.

4. The following courses and programs will be deemed unacceptable as a program of continuing education:

- (a) An orientation program for new employees.
- (b) An on-the-job training program presented by an agency whose primary purpose is to disseminate information on the policy or procedure of the agency.
- (c) ~~{A home study course that includes audio or video tapes which is not interactive, which is not limited by time and for which there is no independent verification of successful completion.}~~
- ~~—(d)}~~ A program for self-improvement.
- ~~{(e)}~~ (d) A distance learning course which ~~{is}~~ **does** not ~~{interactive, which is not limited by time}~~ **require participants to complete an examination before beginning the course and after**

completing the course and for which there is no independent verification of successful completion.

~~[(f) A self-directed learning program:~~

~~—— (1) Which is not interactive, which is not limited by time and for which there is no independent verification of successful completion; or~~

~~—— (2) Which covers the same material as a previous program approved for the licensee for self directed learning or which is not preapproved by the Board.~~

~~— 5. As used in this section, “interactive” means any two-way communication in which each participant in the communication is able to interact in a manner which elicits or may elicit a response from a provider or any other participant in that communication. The term includes, without limitation, any discussion or homework. The term does not include any test that is conducted before or after a program of continuing education.]~~

Sec. 8. NAC 641B.190 is hereby amended to read as follows:

641B.190 1. Before the Board approves a course or program, the Board must be satisfied that the course or program:

(a) Will be taught by a competent instructor as demonstrated by his or her educational, professional and teaching experience, unless the course or program is proposed by a licensee pursuant to subsection 2 of NAC 641B.192 and does not include the use of an instructor;

(b) Contains current and relevant educational material concerning social work, is applicable to the practice of social work, and will enhance the knowledge and competency of a licensee in the practice of social work;

(c) Is of professional quality;

(d) Is appropriately designed for instructional purposes;

(e) Is supported ~~{entirely or partially}~~ by evidence that is based on research; and

(f) Includes a written evaluation of the content and presentation of the course or program and its relevance to the practice of social work for each licensee to complete.

2. A course or program presented in the form of lectures, seminars, workshops, academic courses at an institution of higher education, ~~{correspondence}~~ *distance learning* courses through an accredited college or university which do not lead to a degree, and on-the-job training programs offered by an agency shall be deemed “appropriately designed for instructional purposes,” as that term is used in subsection 1. The provider is responsible for the format and presentation of the courses or programs and may restrict the format in which the material is presented unless otherwise required by the Board.

3. The subject matter of a course or program which addresses one or more of the following areas:

(a) Theories or concepts of human behavior and the social environment;

(b) Social work methods of intervention and delivery of services;

(c) Social work research, including, without limitation, the evaluation of programs or practices;

(d) Management, administration or social policy;

(e) Social work ethics;

(f) Services that are culturally and linguistically appropriate;

(g) Social work theories or concepts of addictions in the social environment; ~~{or}~~

(h) *Evidence-based suicide prevention and awareness; or*

(i) Other areas directly related to the field of practice of the licensee,

↪ shall be deemed to reflect “current and relevant educational material concerning social work” and be “applicable to the practice of social work,” as those terms are used in subsection 1.

Sec. 9. NAC 641B.205 is hereby amended to read as follows:

641B.205 1. A licensee shall practice social work with professional skill and competence.

2. If a licensee must act on behalf of a client who has been declared incompetent or otherwise found by the Board to be incapable of acting in his or her own best interest, the licensee shall safeguard the interests and rights of that client.

3. If another person has been legally authorized to act on behalf of an incompetent client, a licensee shall deal with that person in accordance with the best interests of the client.

4. A licensee shall not practice, condone, facilitate or collaborate with any form of discrimination on the basis of race, color, sex, sexual orientation, age, religion, national origin, social, economic, health or marital status, political belief, diagnosis, mental or physical disability, or any preference or personal characteristic, condition or status.

5. A licensee shall not misrepresent to a client the efficacy of his or her service or the results to be achieved.

6. A licensee shall apprise his or her clients of the risks, rights, opportunities and obligations, financial or otherwise, associated with the provision of social work services to them.

7. A licensee shall seek advice and counsel of colleagues and supervisors whenever it is in the best interest of the client. A licensee shall collaborate with other colleagues as necessary to meet the needs or interests of the client.

8. A licensee shall terminate service to a client and a professional relationship with a client when the service and relationship are no longer required or no longer serve the needs or interests of the client.

9. A licensee shall not withdraw his or her social work services precipitously, except under unusual circumstances and after giving careful consideration to all factors in the situation and taking care to minimize possible adverse effects to the client.

10. A licensee who anticipates the termination or interruption of service to a client shall notify the client promptly and seek the transfer, referral or continuation of service in relation to the needs and preferences of the client.

11. Except as otherwise provided in subsection 12, a licensee shall not influence or attempt to influence a:

(a) Client;

(b) Person with significant personal ties to a client, whether or not related by blood; or

(c) Legal representative of the client,

↳ in any manner which could reasonably be anticipated to result in the licensee deriving benefits of an unprofessional nature during the time that the client is receiving professional services and for 2 years after the termination of the services.

12. A licensee shall not engage in sexual activity with a client during the time that the client is receiving professional services and for 3 years after the termination of the professional relationship.

13. A licensee shall not solicit or enter into a dual relationship with a client, intern or person who is supervised by the licensee:

(a) During the time that the client is receiving professional services from, or the intern or person is being supervised by, the licensee; and

(b) For at least 2 years after the termination of the professional relationship, internship or period of supervision.

14. A licensee shall not cause a client physical, mental or emotional harm by taking direct or indirect actions or failing to take appropriate actions.

15. As used in this section, "dual relationship" means a relationship between a licensee and a client to whom the licensee provides professional services or an intern or person who is supervised by the licensee that also includes another professional, social or business relationship with the client, intern or other person.

Sec. 10. 1. This section and sections 1 to 4, inclusive, 8 and 9 of this regulation become effective on June 28, 2016.

2. Sections 5 and 6 of this regulation become effective on July 1, 2016.

3. Section 7 of this regulation becomes effective on January 1, 2017.

LEGISLATIVE REVIEW OF ADOPTED REGULATIONS--NRS 233B.066
Informational Statement
LCB File No. R018-16

The following statement is submitted by the Nevada Board of Examiners for Social Workers (Board) pertaining to the adopted amendments to Nevada Administrative Code (NAC) Chapter 641B.

- 1. A clear and concise explanation of the need for the adopted regulation.**
The regulation changes in Sections 1, 5, 6, and 8 are necessary updates in regulation to comply with recent statutory changes during the 78th/2015 Legislative Session. The regulation changes in Sections 2, 3 and 4 expand criteria for the Board's acceptance of postgraduate supervised hours. The regulation change in Section 7 updates criteria for the Board's approval of courses for continuing education. The regulation change in Section 9 clarifies for licensees and the public, the definition of a, "dual relationship", between a licensee and client, intern or individual who is supervised by a licensee.
- 2. Description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.**
Notification containing a summary of Sections 1 through 9 in LCB File No. R018-16 and notification of the public workshop were sent by U.S. mail to all individuals licensed by the Board and emailed to persons who were known to have an interest in matters pertaining to social work licensure, including any individuals specifically requesting such notifications. The notifications informed recipients that the regulation change in LCB File No. R018-16 could be viewed in its entirety on the Board's website, www.socwork.nv.gov, or could be obtained in hard copy by submitting a written request to the Board's office. In addition to being made available on the Board's website, these documents were also mailed to all county libraries in Nevada and posted at the following locations:

Mojave Adult Clinic
745 W. Moana Lane, Suite 100
Reno, NV 89509

Mojave Adult Clinic
4000 E. Charleston Blvd., Suite B-230
Las Vegas, NV 89104

Washoe Co. Dept. of Soc. Services
350 S. Center St.
Reno, NV 89501-2103

Clark Co. Social Services
1600 Pinto Lane
Las Vegas, NV 89106-4196

UNR School of Social Work
Ansari Business Bldg., Rm. 523
900 N. Virginia Street
Reno, NV 89502

UNLV School of Social Work
Central Desert Complex 10
4505 Maryland Pkwy.
Las Vegas, NV 89154-9900

Nevada Board of Examiners for Social Workers
4600 Kietzke Lane, Suite C-121
Reno, NV 89502

A public workshop (hearing) to solicit public comment pertaining to the proposed regulation change in File No. R018-16, was conducted on April 15, 2016, from 12:30 p.m. until 3:30 p.m. at the following locations: Mojave Mental Health: Reno, 745 West Moana Lane, Suite 100, Reno, Nevada 89509 and Mojave Adult Clinic, 4000 East Charleston Blvd., Suite B-230, Las Vegas, Nevada 89104. Public input and discussion pertaining to the proposed regulation change were considered by Board members at both locations. Minutes of both public workshops are attached (*Attachment A*), and contain a summary of the public input and discussion conducted at both locations pertaining to the proposed regulation change. Thereafter, on or about May 13, 2016, the Executive Director to the Board of Examiners for Social Workers issued a Notice for the Adoption of Regulation in LCB File No. R018-16. A copy of the minutes which summarizes the input and discussion pertaining to LCB File No. R018-16 during the April 15, 2016 Public Workshops may be obtained from the Nevada Board of Examiners for Social Workers, 4600 Kietzke Lane, Suite C-121, Reno, Nevada 89502, by visiting the Board's website, www.socwork.nv.gov, or by email to kfrakes@besw.nv.gov.

3. **The number of persons who:**
 - (a) **Attended each hearing:** Las Vegas—21; Reno—9
 - (b) **Testified at each hearing:** Las Vegas—13; Reno—7
 - (c) **Submitted written comments:** One (1)

4. **A list of names and contact information, including telephone number, name of entity or organization represented and electronic mail address, for each person identified above in #3, as provided to the State Board of Examiners for Social Workers, is attached as Attachment B.**

5. **A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary.**

Although the proposed regulation in R018-16 did not propose any increases in fees or the addition of fees, the Board sent out a survey to agencies who appeared to fit the definition of a "small business" as defined in NRS 233B.0382, and who were known by the Board to hire licensed social workers. Forty-five (45) surveys were mailed on March 22, 2016, with responses requested by April 8, 2016. The Board also posted the survey on its website, www.socwork.nv.gov. By April 14, 2016, the Board received two (2) responses by U.S. Mail. Both responses indicated that the proposed regulation changes contained in R018-16 did not appear to pose any fiscal impact upon their businesses. Accordingly, the Board further believes that it used informed, reasonable judgment in determining that there will not be an impact on small businesses due to the proposed regulation change. Interested individuals may also request a copy of this statement by submitting a written request to our office: State of Nevada Board of Examiners for Social Workers, 4600 Kietzke Lane, Suite C-121, Reno, Nevada 89502.

6. **If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

Public comment pertaining to proposed regulation changes which were not in response to changes resulting from the 78th/2015 Legislative session, were favorable. Aside from regulation changes resulting from a particular legislative continuing education requirement, comments pertaining to regulation changes resulting from legislation pertaining to endorsement of out-of-state licenses, were generally favorable. Accordingly, the Board moved forward in adopting the proposed regulation changes on June 17, 2016.

7. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately, and in each case must include:

(1) Both adverse and beneficial effects; and

(2) Both immediate and long-term effects.

(a) Adverse and beneficial effects

Adverse economic effect of a particular legislative continuing education requirement may result if a licensee fails to take the required Board approved continuing education course timely and/or fails to submit proper verification of course completion timely upon licensure renewal. As stipulated in legislation, a licensee would not be eligible to renew his or her license if the aforementioned verification is not received upon licensure renewal. This would place an economic burden upon this licensee, with possible, additional adverse impact upon the licensee's employer. The Board has taken tremendous efforts to educate their licensees regarding this requirement for license renewal, which becomes effective July 1, 2016. Beneficial effects pertaining to the continuing education requirement will facilitate licensee practice competency which should benefit the public. Additional anticipated beneficial effects resulting from the regulation change will be the ease of licensure endorsement for out-of-state applicants and increased access of internship supervisors for licensees seeking to obtain postgraduate supervision towards an advanced level of licensure (i.e. LCSW'S and LISW'S)

(b) Both immediate and long-term effects.

The immediate effects appear to have been addressed in item 7-a, above. It is anticipated that the long-term effects of the proposed regulation changes will include increased licensee competency, increased postgraduate supervised practice opportunities and increased licensure via endorsement for out-of-state applicants.

8. The estimated cost to the agency for enforcement of the proposed regulation:

Initially, it is anticipated that there will be a modest increase in staff time to enforce the legislative continuing education mandate. It is expected, that with ongoing efforts to educate licensees about this requirement and as Board staff become more accustomed in conducting the verification of continuing education completion process, the increase in staff time will begin to subside.

9. A description of any regulations of other State or governmental agencies which the regulation overlaps or duplicates and a statement explaining why the duplication or overlap is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.

There are no other State or government agency regulations that the proposed regulation duplicates.

- 10. If the regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.**
There are no federal regulations that apply.
- 11. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.**
The proposed regulation does not provide a new fee or increase an existing fee.

ATTACHMENT A

Public Workshop (Hearing) Minutes for April 15, 2016

Las Vegas

And

Reno



STATE OF NEVADA
BOARD OF EXAMINERS FOR SOCIAL WORKERS
4600 Kietzke Lane, Suite C121, Reno, Nevada 89502
775-688-2555

**MINUTES OF THE PUBLIC WORKSHOP TO SOLICIT COMMENTS
PERTAINING TO REVISED PROPOSED REGULATIONS
Las Vegas, Nevada**

LCB FILE NO. R018-16

April 15, 2016

The Public Workshop to Solicit Comments Pertaining to Revised Proposed Regulations (Public Workshop) of the Board of Examiners for Social Workers (Board), LCB File Number R025-14, was called to order by Colleen York, Board member, at 12:37 p.m. The Public Workshop was conducted at Mojave Adult Clinic, 4000 East Charleston Blvd., Las Vegas, Nevada. Kim Frakes, Board Executive Director informed Ms. York that the Public Workshop had been properly noticed. Ms. Frakes explained that the purpose of the Public Workshop was to receive comments as it pertained to the proposed regulation changes in LCB File Number, R018-16. Roll call was then conducted by Ms. Frakes, with the following Board members, Board staff and participants (arriving and departing at various times) present:

Members Present:

Rod Smith, Board President
Annie Wilson, Board Member
Colleen York, Board Member

Staff Present:

Kim Frakes, Executive Director
Kimberly A. Farkas, Certified Court Reporter, Sunshine Litigation Services

Public Attendees

Amy Ellwood, LCSW
Erma Piasta, LCSW
Saul Yaz, LSW
Shane Taylor, LSW
Gary Brewer, LSW
Rebecca Cortez, LSW
Richard Newton, LSW
Ken McKay
Tracy Kwan, LSW
Josef York, LCSW
Riley Kline, LCSW
Margarita de la Fuente, LSW
Robert Durette
Stefanie Maplethorpe, LCSW
Pricilla Lopez, LSW
Richard Newton, LSW

INTRODUCTION – OPEN WORKSHOP

Kim Frakes presented this Public Workshop agenda item. Ms. Frakes noted that purpose of the Public Workshop (workshop) was to receive public comments pertaining to proposed additions, amendments, and/or repeal of regulations pertaining to Chapter 641B of the Nevada Administrative Code. She further added that the purpose of the workshop was to solicit comments from interested parties on the general topics contained in the "Notice of Workshop to Solicit Comments on Proposed Regulations" (Notice). The Notice was mailed to: all individuals licensed by the Board, all persons on the Board's mailing list, all county libraries, and the Nevada State Library. The Notice had also been electronically posted to: the Board's website, the Legislative website and the State's Public Notice website.

Ms. Frakes summarized the topics to be addressed during the public workshop as follows (Agenda Item 2A):

Section 1 Licensure via endorsement, pursuant to Senate Bill 68, Section 45.

Section 2 Acceptance of postgraduate, supervised hours towards LISW licensure.

Section 3 Removes provisions of postgraduate clinical social work not supervised in an agency setting.

Section 4 Authorizes postgraduate supervised hours by licensed mental health practitioners who meet specific criteria.

Section 5 Requires 2.0 continuing education hours annually pursuant to Assembly Bill 93, Section 5.

Section 6 Every application for license renewal be accompanied by a certificate of continuing education completion on evidence-based suicide prevention and awareness.

Section 7 Removes certain requirements pertaining to the methods of continuing education delivery.

Section 8 Adds evidence-based suicide prevention and awareness to the list of acceptable continuing education subject matter.

Section 9 Definition of a, "dual relationship".

PUBLIC COMMENT (Agenda Item 3)

Ms. Frakes opened the floor to public comment pertaining to the general topics contained in the proposed regulation.

Saul Yaz, LSW

Mr. Yaz expressed his support for Section 1, which pertained to licensure via endorsement, pursuant to the passage of Senate Bill 68 (SB 68). He believed it would establish a standard for obtaining a clinical social worker license in Nevada.

Shane Taylor, LSW

Mr. Taylor also expressed support for Section 1. He believed it would assist in addressing the shortage of social workers in the State.

Erma Piasta, LCSW

Ms. Piasta expressed agreed that the State would benefit from the hiring of additional social workers. She expressed concerns that this section would allow for other disciplines to be hired in lieu of social workers, as well as a possible lowering of standards in the social work profession.

Gary Brewer, LSW

Mr. Brewer requested clarification that the proposed regulation changes in R018-16 only pertained to regulation changes for social workers. Ms. Frakes indicated that the proposed changes pertained to social workers only. He wanted clarification pertaining to why the, "District of Columbia", were mentioned throughout LCB File R018-16. Ms. Frakes indicated that this was for clarification purposes, since SB 68, as well as other bills during the 2015 Legislative session included the District of Columbia in their language. Ms. Frakes pointed out that additional language in SB 68 also referenced occupational licenses from, "U.S. Territories". Mr. Brewer wanted to know if the language in R018-16 included licenses from Puerto Rico and all U.S. Territories. Ms. Frakes indicated that if an individual is fully licensed and falls within the U.S. Territory as noted in SB 68, he or she would be considered eligible for licensure via endorsement. Mr. Brewer inquired about why, "five years" was considered a legitimate amount of time for endorsement of licensure. Ms. Frakes indicated that this was based upon findings by the Legislature and bill sponsors. She is unaware of why this was specifically used as the minimum number of years of licensure required.

Ms. Frakes then introduced Section 2 and requested public input. Section 2 pertained to the acceptance of postgraduate, supervised hours towards LISW licensure.

Gary Brewer, LSW

Mr. Brewer requested clarification pertaining to an LISW. Ms. Frakes indicated that an "LISW" is a master's level license, which requires postgraduate, supervised practice. Ms. Frakes indicated that following supervised practice and passing the "Advanced Generalist" exam, an LISW would be eligible to engage in independent practice. She added that an LISW would be eligible to engage in all levels of independent practice, with the exception of clinical practice. Mr. Brewer asked about where this level of licensure would be eligible to practice. Ms. Frakes indicated that an LISW could open a private agency and could even open an independent clinical practice, so long as the LISW hired a licensed mental health practitioner to conduct the actual hands on clinical practice and supervision. Ms. Frakes added that some of the LISW'S work for the Veterans Administration, where an, "advance level of licensure" was required. Mr. Brewer, in further discussion about the benefits of an LISW level of licensure, requested clarification pertaining to LSW'S and their ability to engage in independent practice. Ms. Frakes verified that an LSW would not be considered eligible by the Board to engage in independent practice since they have not had postgraduate, supervised practice and have not passed the Advanced Generalist exam.

Colleen York, LSW, Board Member

Ms. York added that UNLV (University of Nevada, Las Vegas) used to have an, "Administrative", master's tract, as part of their graduate studies. She suggested that perhaps the LISW licensed grew out of that.

Gary Brewer, LSW

Mr. Brewer indicated that he had attended his graduate program at Arizona State, under a similar Administrative tract. For this reason, the LISW level of licensure intrigued him.

Assured that there were no further questions, Ms. Frakes provided an overview to Section 3. Section 3 removed certain language, in light of the passage of SB 68. This section pertained to LCSW'S applying for endorsement via SB 68 as well as LCSW applicants for endorsement who were licensed less than 5 years. Applicants for endorsement, licensed less than 5 years would fall under substantially equivalent standards. The proposed changes in this section includes postgraduate supervision and types of licensed mental health practitioners and whose postgraduate supervision would be accepted by the Board. The Board would require

the first 1,000 clinical hours still be conducted by an LCSW approved to provide supervision in the state where the supervision occurred. The remaining 2,000 clinical hours could be provided by a clinical psychologist or board certified psychiatrist. Ms. Frakes explained that the intent would be to expand the types of supervised hours accepted by the Board for those who do not fall under the requirements of automatic endorsement via SB 68. The same requirement would also apply to individuals receiving postgraduate, clinical supervision in this State as well.

Gary Brewer, LSW

Mr. Brewer expressed support for this regulation change. It appeared to address the issue Ms. Piasta had expressed earlier pertaining to foundation training for social workers, including clinical social workers.

Ms. Frakes indicated that the reason MFT'S (Marriage and Family Therapists) and clinical professional counselors are not added to this expanded list is that, pursuant to their NRS and NAC'S, can only diagnose and treat mood disorders. She added that once this changed, the Board would more than likely add them to the list of licensed mental health professionals allowed to conduct postgraduate, clinical supervision. For now, however, the Board has to base its acceptance of MFT's and clinical professional counselors based upon their scope of practice as noted in their statutes and regulations.

Erma Piasta, LCSW

Ms. Piasta expressed concerns that over-relaxing standards may eventually lead to social workers becoming obsolete.

Ms. Frakes acknowledged Ms. Piasta's concerns. She recommended that during the upcoming 2017 Legislative session, she check the Board's website frequently as the website contains information regarding proposed Legislation being tracked by the Board.

Erma Piasta, LCSW

Ms. Piasta shared her historical involvement with the social work profession. She concluded by stating that a solid knowledge base regarding the profession naturally lends itself to have a heartfelt appreciation for the profession.

Colleen York, LSW, Board Member

Ms. York stated that she was reminded about child welfare workers in this State, who at one time, were licensed social workers. She added that the use of social workers in certain areas of child welfare has diminished.

Gary Brewer, LSW

Mr. Brewer indicated that when moving to Nevada from Arizona, child welfare in Arizona did not require social workers. He stated that while working in Arizona as a child welfare worker, there were individuals with vast differences in professional viewpoints when working with their clients. Often, these perspectives were not conducive to the way social workers view their clients.

Ms. Frakes added that while there have been efforts to declassify professions previously held by social workers, title profession for "social workers" still remains in this State.

Gary Brewer, LSW

Mr. Brewer requested clarification pertaining to subsection 6, as it appeared this subsection had been struck out (eliminated) all-together. It further appeared to eliminate grand-fathering for those who conducted their clinical social work practice prior to 1990.

Ms. Frakes indicated that this section had been eliminated due to SB 68. Grand-fathering was no longer needed. Anyone who was continuously licensed prior to 1990 would generally be eligible for licensure, pursuant to SB 68.

Ms. Frakes suggested moving onto Section 4 if there were no further comments. Section 4 authorizes postgraduate, clinical supervision of hours in Nevada to include clinical psychologists or board certified psychiatrists. Similar to LCSW'S who are Board approved to provide postgraduate supervision, the clinical psychologists and psychiatrists must have at least three years post-licensure experience as well as a license that is free of any disciplinary action.

Saul Yaz, LSW

Mr. Yaz requested clarification on whether the clinical psychologist or psychiatrist would be able to provide postgraduate supervision during the entire internship or whether there would still be the requirement of having at least 1,000 clinical hours first conducted by an LCSW. Ms. Frakes indicated that the LCSW would provide the first 1,000 clinical hours prior to the Board considering and accepting a clinical psychologist and/or board certified psychiatrist.

Shane Taylor, LSW

Mr. Taylor noted that this proposed revision broadens the opportunities for individuals who are pursuing their LCSW license. He has noticed that one of the challenges some individuals face is the ability to maintain their employment while conducting their postgraduate, supervised practice. This challenge stems from the fact that opportunities are limited. Mr. Taylor viewed this proposed change would be beneficial.

Colleen York, LSW, Board Member

Ms. York indicated that she could see how this proposed regulation change would be beneficial in settings which utilize numerous disciplines, such as hospitals. This multi-disciplinary approach appears to be more holistic.

Ms. Frakes suggested to moving on to Section 5. This section pertained to "2.0" continuing education hours annually, as a condition for licensure renewal. This is pursuant to AB 93, which was passed during the recent 2015 Legislative Session. Although it appears that the intent was for Board licensees to include, as part of their 2-year continuing education cycle, the 2.0 CEU'S on suicide prevention and awareness, as it was enrolled, the 2.0 CEU'S became a condition for licensure renewal, which is annually. Ms. Frakes indicated that she had expressed concerns about this being mandated in the Board's statutes, but that the Legislature was less than responsive to her testimony.

Gary Brewer, LSW

Mr. Brewer wondered if NASW (National Association of Social Workers), Nevada Chapter (NV Chapter) had taken a position when this bill was introduced.

Ms. Frakes indicated NASW, NV Chapter, did not take an official position on this bill. She added that the NV Chapter may actually benefit from the passing of this bill since licensees may be approaching them for continuing education courses.

Erma Piasta, LCSW

Ms. Piasta requested clarification on CEU requirements pertaining to "ethics" versus "suicide prevention and awareness."

Ms. Frakes indicated that a licensee's ethics requirement is every two years, as noted in their CEU collection cycle. The suicide prevention and awareness is due annually, as a condition for licensure renewal.

Gary Brewer, LSW

Mr. Brewer appeared to object to the passage of AB 93 and wondered if there was anything which could be done about this.

Ms. Frakes suggested reviewing the bill in its entirety first and this if there were still questions or concerns, individuals should contact the bill's sponsors who are listed on the first page of the bill.

Shane Taylor

Mr. Taylor requested clarification on the intent of the bill—was it to have licensees complete 4.0 hours of suicide prevention training during each CEU collection cycle.

Ms. Frakes clarified that it appears that the intent was to complete 2.0 CEU'S on suicide prevention every collection cycle, but unfortunately, when it was enrolled, it was included in the section pertaining to licensure annually.

Erma Piasta

Ms. Piasta wondered when classes would be offered.

Ms. Frakes indicated that there currently was a list of course already approved by the Board on their website. She added that CASAT (Center for the Application of Substance Abuse Technologies), the State of Nevada Office of Suicide Prevention and Awareness, and NASW NV Chapter are on this list. Ms. Frakes added that a licensee may submit an individual continuing education application for continuing education approval. She further encouraged employers or groups of employees within an agency who routinely obtain this type of training may also submit a CEU application for consideration of approval. Ms. Frakes further reminded everyone that the dates reflecting the one-year period of applicability for each application renewal period was included in the Workshop notification as well as online. Each licensee will also receive at least an additional individual notification and reminder.

Gary Brewer, LSW

Mr. Brewer wanted clarification to when he would be scheduled to renew his license. Ms. Frakes informed him that a licensee's renewal is due by the last day of his/her birth month. He added that it appeared that the impetus to know about the applicability of AB 93 now rests upon the licensees. He asked about the number of courses which could be found online?

"Attendee" (Name not identified the transcriber)

The Attendee noted that not all licensees are fortunate enough to work at an agency which provides Board approved CEU'S.

Ms. Frakes noted that there are nonprofits which offer Board approved CEU'S and have expressed interest in providing suicide prevention and awareness training.

Annie Wilson, LSW, Board Member

Ms. Wilson mentioned a local agency which was hosting a free continuing education course on this topic. She added that this agency appears to be offering this training monthly.

Saul Yaz, LSW

Mr. Yaz wondered whether presenters of continuing education courses have to be clinical social workers. Ms. Frakes indicated that the course presenters has to demonstrate how he or she is competent to teach the course. She suggested that he go to the Board's website and review the "Group" continuing education

application. There is a section which requires the applicant to demonstrate the competence of the presenter. This can usually be done by submitting the presenter's resume, bio or vita.

Erma Piasta, LCSW

Ms. Piasta inquired about a particular CEU vendor. Ms. Frakes indicated that since the referenced vendor does not meet Board criteria, they would not be accepted.

Gary Brewer, LSW

Mr. Brewer wanted to know if the Board have a meeting regarding AB 93 prior to the bill's passage. Ms. Frakes indicated that the Board had ongoing discussion regarding AB 93 throughout the 2015 legislative session. He inquired about the number of public workshops provided by the Board regarding the proposed regulation changes, including changes pertaining to AB 93. Ms. Frakes indicated that by law, the Board is required to conduct at least one public workshop. This workshop fulfilled the State's requirement. Mr. Brewer indicated that holding these public gatherings would be beneficial at the beginning of each legislative session would be helpful as it would provide licensees an opportunity to discuss bill proposed by the legislature.

Ms. Frakes agreed that this would be beneficial and something the Board could consider in the future. She indicated that due to funding and staffing issues, it is often difficult to provide face-to-face Board hosted gatherings or similar types of meetings. Ms. Frakes reminded everyone to routinely check the Board's website during the legislative session as it often list bills which are being tracked by the Board.

Gary Brewer, LSW

Mr. Brewer wanted to know if the Board had anyone who is specifically assigned to act as a legislative watchdog during each session.

Ms. Frakes indicated that costs for a lobbyist may be at least \$30,000 and that the lobbyist is paid regardless of whether things occur in their favor during the session.

Shane Taylor, LSW

Mr. Taylor requested clarification pertaining to the same course not being taken two years in a row. Ms. Frakes replied that the same course could not be done within two consecutive years or the same CEU collection cycle. Mr. Taylor also asked about attending similar conferences within a CEU collection cycle. Ms. Frakes clarified that if the content of the courses/training were different between the two conferences, then he should be fine. Mr. Taylor wondered if the CEU certificates had the same approval number, would the Board consider this the same training or presentation. Ms. Frakes indicated that more than likely, the Board would consider the two trainings as being identical.

Erma Piasta, LCSW

Ms. Piasta recalled, while living in California, firemen and police officers, as well as other disciplines who provided suicide training. She noted that it appeared similar types of trainings, provided by disciplines considered alternative to mental health professionals did not seem to be offered in this State.

Annie Wilson, LSW, Board Member

Ms. Wilson recalled that there happened to be a type of training which Ms. Piasta was referencing. It was provided by Metro Police Department which is usually limited to law enforcement. She indicated that it was called, "CIT" for Crisis Intervention Training. There are occasions when these trainings are offered to the community and not restricted to law enforcement. Ms. Wilson offered to speak with one of the sergeants to see if the agency may consider on offering this training to the community on a more routine basis.

Rod Smith, Board Member

Mr. Smith noted that there seemed to be an increase in suicide prevention and training applications submitted to the Board over the past few months. This was probably due to this course being a requirement.

Saul Yaz, LSW

Mr. Yaz requested clarification on whether the 2.0 CEU'S in suicide awareness and prevention was in addition to, or a part of, the 30.0 CEU'S he is required to take every two years.

Ms. Frakes clarified that this requirement did not add on any more CEU'S. It just adds a specification requirement, based upon the number of CEU'S required.

Gary Brewer, LSW

Mr. Brewer noted that there were only 2.0 CEU'S required for ethics, but now 4.0 CEU'S every cycle for suicide prevention and awareness.

Becky Cortez, LSW

Ms. Cortez requested clarification that the 2.0 CEU'S in suicide prevention and awareness was due for each license renewal. Ms. Frakes answered that that was correct. Ms. Cortez indicated that she was wondering why the topic of suicide had become so elevated when it appears to her, that this phenomena is directly connected to other issues, such as domestic violence, substance abuse, physical and mental health. Why is this topic deemed more important or relevant, even when compared to ethics?

Ms. Frakes indicated that there was discussion earlier pertaining to how the Legislature has access and ability to changes statues, including the Board's statutes, or NRS. She indicated that she had attended the Legislative hearings pertaining to AB 93 and that this bill was drafted in response to the State's higher than average suicide rates. There was strong support for this bill, including an Assemblywoman, who is a licensed social worker, as well as a social worker who works for the V.A. Ms. Frakes added that this requirement was included in the NRS of several other mental health and medical professions—not just the Board.

Beck Cortez, LSW

Ms. Cortez stated her belief that client suicide was a symptom of a larger problem, and does not appear to be addressed or acknowledged in the suicide mandate. She wanted to know if there was a way to refute this.

Rod Smith, Board Member

Mr. Smith indicated that Ms. Frakes would have loved to have had the support demonstrated during today's meeting when she had gone before the 2015 Legislative session.

Ms. Frakes reminded everyone that the next, 2017 Legislative is quickly approaching and that all notification pertaining to NRS changes would be posted on the website.

Attendee

The Attendee likewise indicated that she would notify the Board of any bills which she believed was worthy of everyone's attention.

Ms. Frakes suggested that interested individuals could also go to the Legislative website and sign up to received committee information during the Legislative session.

Rod Smith, Board Member

Mr. Smith stated that by tracking legislative bills, it offers individuals the opportunity to see which Legislator supports or opposes a particular bill.

Attendee

The Attendee stated that bills could be tracked on either a State or Federal level and that the information would be delivered to the emails of individuals who requested this information.

Rod Smith, Board Member

Mr. Smith agreed that often there are trends on topics which appear to interest legislators. In education, it had been ADHD and now it appears to be autism.

Gary Brewer, LSW

Mr. Brewer stated that it appeared as though social workers in the State do not have an advocate looking out for them. He cited the fact that he had just learned about AB 93 and mandated suicide training supported this belief. He expressed frustration pertaining to this type of, "knee-jerk" legislation and in spite of the fact that other boards were consulted, the input appeared to be ignored and the legislation enacted anyway. He wondered if investing in an advocate or lobbyist would be something the Board would consider.

Ms. Frakes clarified that the purpose of the Board is to protect the public, not the licensees. While protecting the integrity of the social work profession, there is common ground to advocate. Ms. Frakes indicated that NASW Nevada Chapter is the professional organization for social workers. The Nevada Chapter has a legislative committee and suggested that Mr. Brewer consider contacting them for assistance with legislation.

Ms. Frakes indicated that it is not unusual for the boards not to be contacted during the legislative session by Legislators. She offered an example of how UNR social work students were brought to the legislature during the 2015 session, offering support of AB 93. In the minds of the legislators, these were social workers, not students who were unaware of the difficulty in working full-time and attempting to complete continuing education courses while working.

Rod Smith, Board Member

Mr. Smith suggested that individuals make an effort to attend a Board meeting as a means of staying involved and informed with the Board. He indicated that all meetings are posted on the Board's website, pursuant to the State's Open Meeting Law.

Ms. Frakes added that this was the best way to learn about the Board, its activities, and useful information.

Richard Newton, LSW

Mr. Newton stated that he worked at State Welfare. He wanted clarification that the suicide continuing education requirement included other behavioral health boards.

Ms. Frakes indicated that the requirement included other behavioral health boards, not just social workers. She added that the comments solicited during the public comment pertained to social workers.

Rod Smith, Board Member

Mr. Smith encouraged attendees to contact their legislator, as he has found them to be responsive to their electorates. He added that it was also important to find out who supports and who is not supportive of a particular bill or issue.

Gary Brewer, LSW

Mr. Brewer wondered if the legislature would bother listening to him as an individual, versus an organization, such as the Board.

Rod Smith, Board Member

Mr. Smith indicated that the legislature would be more inclined to listen to the voices of several individuals over the voice of one organization.

Becky Cortez, LSW

Ms. Cortez wanted clarification on how a licensee would be notified about particular bills during a legislative session.

Ms. Frakes indicated that during each legislative session, she lists the bills which appear to have impact upon the Board. This list of tracked bills are placed on the Board's website. She added that if licensees express an interest or concern about a particular bill, the licensee could submit a written request for this bill to be placed on the Board meeting agenda as an agenda item. The bill's sponsor could even be invited to attend a Board meeting to discuss the bill with interested individuals.

Rod Smith, Board Member

Mr. Smith expressed how individuals in Nevada enjoy access to their legislators. This is something which is not often afforded to individuals who live in other state.

Becky Cortez, LSW

Ms. Cortez wondered if there currently was a way to have the mandated continuing education requirement either modified or removed all together. She added that if this mandate were required during the 2-year continuing education cycle, that would be more acceptable. Attempting to fulfill this mandate annually appeared unreasonable.

Rod Smith, Board Member

Mr. Smith noted that in the course of reviewing continuing education courses for the Board, he has noted that there appears to be a variety of courses offered. He added that recently, he noted a continuing education application on a Suicide and Native American course.

Becky Cortez

Ms. Cortez indicated that the topic of suicide prevention and awareness is not a new concept for her as a social worker. The fact that the legislature mandated it is.

Ken McKay

Mr. McKay indicated that he was a psychologist. He noted that the State's professional organization is the Nevada State Psychological Association (Association). The Association designates a political designee, who in turn, emails their members about particular bills during each session. This enables the State's licensing boards to look out for the interests of the public while allowing the Association to look out for it's professionals.

Gary Brewer, LSW

Mr. Brewer indicated that unfortunately, he had allowed his NASW (National Association for Social Workers), Nevada Chapter, membership to lapse due to the current cost of \$260 annually. He indicated that this proved to be a bit pricey for him.

Ken McKay

Mr. McKay suggested that the increase in NASW Nevada Chapter's member may be due to the fact that they are the entity paying \$30,000 for a lobbyist.

Ms. Frakes encouraged attendees to seriously consider attending Board meetings and to follow the bills which are being tracked on the Board's website.

Attendee

The Attendee wanted to know where the Board's meetings are held.

Ms. Frakes responded that the location of this current meeting is one of the meeting locations. The other is held in Reno. Pursuant to NRS 641B, the Board is required to conduct Board meetings a minimum of one time per quarter. This information is prominently posted on the Board's website, www.socwork.nv.gov.

Ms. Frakes then introduced Section 6. This section pertained to every application for license renewal be accompanied by a certificate of continuing education completion on evidence-based suicide prevention and awareness.

Colleen York, LSW, Board Member

Ms. York reminded everyone that their comments from today's public workshop would also be posted on the Board's website.

Ms. Frakes attempted to explain the difference between having continuing education requirements mandated in NRS versus required in NAC. Since AB 93 mandated continuing education requirements for suicide prevention and awareness, all licensees upon licensure renewal will be required to attach a certificate of completion and sign an affidavit. When a continuing education is required in NAC, such as ethics, the licensee would sign an affidavit of CEU completion and would only submit proof of continuing education course completion if audited. Any license renewal submitted on or after July 1, 2016, which does not have a copy of his or her suicide prevention CEU, will not be able to renew his or her license. This has the potential of impacting the social work workforce and the Board has worked diligently to notify all licensees. Since continuing education courses have been mandated by the Legislature, this now opens the door for additional courses being mandated. In the past, the Board was satisfied leaving continuing education course content, with the exception of ethics, to the professionalism of the licensee. This particular mandate will sunset on July 1, 2026.

Ms. Frakes then introduced Section 7. This section removed certain requirements pertaining to the methods of continuing education delivery.

Ms. Frakes stated that this removed the provision of continuing education courses, be limited in time and interactive. Courses delivered via the Internet which allows a participant to interact with the presenter in real time, could be included as, "live", presentations versus a "distance" learning program. Continuing education courses would still require Board approval. Certain antiquated language, such as home study or self-directed courses have been eliminated.

Saul Yaz, LSW

Mr. Yaz indicated that his employer, State of Nevada, provides numerous online trainings. Would any of these trainings possible be approved by the Board for continuing education approval?

Ms. Frakes requested clarification on whether the online courses were synchronous or asynchronous?

Saul Yaz, LSW

Mr. Yaz stated that the courses often had a post-test.

Rod Smith, Board Member

Mr. Smith clarified for Mr. Yaz, what would make the course "interactive" versus a program which was pre-recorded and viewed later.

Ms. Frakes indicated that even if these courses were recorded and viewed later (probably not interactive), the Board was expanding acceptance of certain learning courses which offer a pre-test and post-test. If Mr. Yaz's programs offered pre and post-tests, and met other criteria, it probably would be approved by the Board. Each license is able to earn "half" of his or her CEU'S through Board approved distance learning courses which meet these criteria.

Erma Piasta, LCSW

Ms. Piasta asked about courses offered by NASW.

Ms. Frakes clarified that courses offered by NASW, Nevada Chapter, are automatically approved since this organization is a Board approved provider of continuing education courses. She added that NASW, National Chapter is not a Board approved provider and would require the attendee to submit a CEU application for possible Board approval of a particular course/program.

Erma Piasta, LCSW

Ms. Piasta indicated that it was her opinion that the Board's apparent limitation of course providers makes it difficult for social workers to complete their continuing education requirements.

Ms. Frakes indicated that the Board is attempting to be responsive to the needs of licensees while attempting to also ensure practice competence of licensees through evidence-based, sound continuing education courses. She noted that the Board is proposing to consider, as part of "live" courses/programs, presentations which are transmitted electronically, e.g., the internet, that allow participants the ability to interact with the presenter. In other words, the presenter no longer has to be in the same room as the attendee to be considered a "live" presentation. Ms. Frakes added that licensees may take up to half of their required CEU'S via distance courses, which provides a pre-test and post-test in lieu of "interaction" with the presenter. A licensee may submit a CEU application for consideration of such distance courses for possible Board approval. Ms. Frakes suggested that Ms. Piasta may wish to consider submitting a completed individual CEU application for any future courses she attends for the purpose of seeing if it meets the Board's criteria for approval.

Saul Yaz, LSW

Mr. Yaz inquired on whether this could also apply to any out-of-state programs, courses or conferenced.

Ms. Frakes indicated that if the course, program or conferences meets Board criteria, as listed on page 2 of the application, it should be approved. Ms. Frakes further recommending submitting the application in advance of attending the program, although it could also be submitted following the completion of the program.

Richard Newton, LSW

Mr. Newton, in response to the Board's "live" presenter criteria indicated that he has, on numerous occasions, attended programs with live presenters which he viewed as "worthless". He indicated that he has also attended online trainings which he viewed as valuable and relevant to his practice. He encouraged the Board, in the process of evaluating continuing education courses and programs, to consider the information being presented and its relevance to social work practice.

Rod Smith, Board Member

Mr. Smith indicated that this is a topic of ongoing discussion with the Board.

Ms. Frakes acknowledged that sometimes, it appears that the Board isn't moving fast enough to address this issue. She indicated that change with government entities often occurs in baby steps. Public protection is

paramount, which includes ongoing licensee competence. Ongoing competence occurs via ongoing competent education.

Rod Smith, Board Member

Mr. Smith indicated that he has also come across CEU flyers which touted that they were "Board approved", when in fact, this was not true.

Ms. Frakes cautioned participants to be very cautious when looking for Board approved continuing education courses. Getting back to Mr. Newton's question, Ms. Frakes stated that even live presentations has its flaws. A licensee could hypothetically attend the morning portion of a program, take a long lunch break, and pick up the certificate of completion at the end of the program. She added that the Board is making efforts to trust licensees more and rely upon their sense of professionalism, however, it is a balance between trusting the licensee and public protection through competent licensee practice.

Becky Cortez, LSW

Ms. Cortez wondered if the Board's expectations on how CEU'S are to be completed presently is in conflict with the latest means on how information is delivered. She added that presently, degrees in social work are being provided via online. To her, it appeared that the completion of a degree program is more lax that obtaining CEU'S.

Rod Smith, Board Member

Mr. Smith indicated that brining the Board more in line with the twenty-first century is a topic of ongoing Board discussion.

Ms. Frakes indicated that the Board had discussed in the most recent regulation change process, removing limitations on the number of continuing education courses taken online. Given that in the past, there appears to be abuses of what is already in place. She cite as an example, licensees who claim online continuing education hours which far exceeds the amount of time they were actually able to complete these courses. For example, submitting "12" continuing education hours, when it appears the licensee only had "6" hours to complete the online courses.

Rod Smith, Board Member

Mr. Smith added abuses such as taking a yoga class on Saturday night and submitting the course for continuing education approval.

Ms. Frakes added that Ms. Cortez's points were well-taken and that this was an issue which the Board would continue to examine.

Gary Brewer, LSW

Mr. Brewer clarified that as an LSW, the Board would allow him to take during his continuing education collection cycle, "15.0" Board approved CEU'S, which is half of his total requirement. He wondered if there was any exemptions to this requirement.

Ms. Frakes indicated that there were limited exemptions, as allowed, under NAC. But with the passage of AB 93 during the 2015 legislative session, there are not any exemptions or exceptions allowed for the 2.0 CEU'S in suicide prevention and awareness.

Gary Brewer, LSW

Mr. Brewer wondered if the Board had a timeline on when more CEU'S would be offered. He indicated that he enjoys attending live programs and admits that attendance at various continuing education programs is a matter of preference and learning style.

Annie Wilson, LSW, Board Member

Ms. Wilson asked Mr. Brewer for clarification to his question. What was he hoping to see which would confirm for him the Board is moving in the right direction when it came to CEU courses and programs.

Gary Brewer, LSW

Mr. Brewer wondered if the Board had a definitive timeline when it came to possibly expanding the number of CEU'S which could be taken online.

Ms. Frakes indicated that expanding the number of online approved CEU'S more than likely would not be addressed in this set of regulation changes. She added that his input was helpful and would be considered in the next set of changes.

Rod Smith, Board Member

Mr. Smith indicated that he always attempts to stress to licensees, the fact that the Board is very limited when it comes to resources, including staffing. He reminded everyone that there is Ms. Frakes and two (2) other ladies in the office to attend to the variety of licensee needs.

Colleen York, LSW, Board Member

Ms. York indicated that the allowance of "15" CEU'S (half of her required CEU'S) via Board approved continuing education course providers have been a recent change. She added that she has been licensed a long time and that she is grateful for the Board's consideration to allow for online courses.

Annie Wilson, LSW, Board Member

Ms. Wilson indicated that she agreed with Ms. York. She suggested participants to consider participating in future Board meetings as a way of sharing their thoughts and to provide insight and additional information.

Ms. Frakes indicated that the Board makes efforts to provide licensees with a variety of choices. There are other boards which limits the choices of approved continuing education courses to specific CEU'S providers. She added that these comments were useful and would be brought back to the Board.

Attendee

The Attendee wondered why the Board approved certain courses, which he/she viewed as "awful", while it appeared to deny other courses which the Attendee view as very helpful.

Rod Smith, Board Member

Mr. Smith indicated that there is specific criteria which has to be met for a course to become approved by the Board. This information is specified on the continuing education application. He added that often, a course is denied because the applicant does not read the directions on what is required for the Board's approval.

Colleen York, LSW, Board Member

Ms. York indicated that she used to wonder the same thing. She has attended a national conference for social workers in the field of health care. She realized that even though this is a nationally recognized organization, the number of continuing education hours approved varies from state to state.

Ken McKay

Mr. McKay indicated that the "ACA" (Affordable Care Act) is pressing for the integration of healthcare professionals. He indicated that integration would save a lot of work for a variety of boards. He noted that to him, it was frustrating that there are four mental health boards in the State, with each board appearing to have their own turf issues. He cited the need to submit a course for continuing education approval as an example of unnecessary work. In Mr. McKay's opinion, if a continuing education course is good enough to be approved by one board, it should be approved by all boards.

Gary Brewer, LSW

Mr. Brewer wondered if there exists a consortium or council of different boards that has an agreement on generally accepted practice standards?

Ken McKay

Mr. McKay indicated that to his knowledge, such a consortium or council does not presently exist.

Ms. Frakes added that there have been bills submitted in previous legislative session requesting consolidation of boards. It appears that there could be such a bill submitted again for the 2017 legislative session.

Ms. Frakes suggested moving onto Section 8. Section 8 pertained to the addition of, evidence-based suicide prevention and awareness training onto the list of acceptable continuing education subject matter. It appeared that comments to Section 8 were included in the previous discussion by participants pertaining to the additional of suicide prevention and awareness training requirement.

Ms. Frakes then moved onto Section 9. This section pertained to adding a definition of a dual relationship. Ms. Frakes indicated that on occasion, the Board would receive inquiries from licensees and members of the public regarding what the Board would consider a "dual relationship". Section 9 would hopefully provide clarification.

Saul Yaz, LSW

Mr. Yaz requested clarification on the process to submit a continuing application for group approval. Ms. Frakes indicated that once a course receives Board approval, a notice is sent to the person submitting the application. The application provides certain information, including the number of CEU'S the course is approved for, as well as the date the Board's approval expires.

Amy Ellwood, LCSW

Ms. Ellwood wondered if the Board would be providing continuing education hours for attending today's public workshop. She indicated that she was a past Board president and believed it had been awarded to participants in the past.

Ms. Frakes indicated that she would look into this matter.

Gary Brewer, LSW

Mr. Brewer indicated that he has only been in the State for approximately one year, but found today's workshop very informative.

Erma Piasta, LCSW

Ms. Piasta wondered if she could submit for possible continuing education approval, some of the critical incident meetings she attends.

Ms. Frakes indicated that it was a possibility but cautioned Ms. Piasta to review the Board's criteria carefully to be sure it meets the Board's criteria on the application.

Gary Brewer, LSW

Although he wished he could have learned more about the bills prior to being passed during the 2015 legislative session, he indicated that he appreciated the opportunity to meet with the Board and to discuss the items on the public workshop agenda.

Ms. Frakes concluded the public workshop but invited attendees to stay if they had any further questions which were not addressed during the workshop. The public workshop pertaining to proposed regulations in LCB File Number R018-16 concluded at 3:35 p.m.

Respectfully Submitted,

Kim Frakes
Executive Director



STATE OF NEVADA
BOARD OF EXAMINERS FOR SOCIAL WORKERS
4600 Kietzke Lane, Suite C121, Reno, Nevada 89502
775-688-2555

**MINUTES OF THE PUBLIC WORKSHOP TO SOLICIT COMMENTS
PERTAINING TO REVISED PROPOSED REGULATIONS**
Reno, Nevada

LCB FILE NO. R018-16

April 15, 2016

The Public Workshop to Solicit Comments Pertaining to Revised Proposed Regulations (Public Workshop) of the Board of Examiners for Social Workers (Board), LCB File Number R025-14, was called to order by Sandra Lowery, per diem Board staff member Chair, at 12:30 p.m. The Public Workshop was conducted at Mojave Mental Health--Reno, 745 West Moana Lane, Suite 100, Reno, Nevada. Ms. Lowery noted that the Public Workshop had been properly noticed. Roll call was initiated by Ms. Lowery, with the following Board members, Board staff and participants (arriving and departing at various times) present:

Members Present:

Vikki Erickson, LCSW, Board Secretary/Treasurer

Staff Present:

Sandra Lowery, Internship Program Coordinator

Corrie L. Wolden, Certified Court Reporter, Sunshine Litigation Services

Public Attendees

Misty Allen

Phoebe Cochran, LSW

Stan Shaft, LSW

Rawland Glass, LCSW

Marlyn Scholl, LCSW

Lea Cartwright

INTRODUCTION -- OPEN WORKSHOP

Sandra Lowery presented this Public Workshop agenda item. Ms. Lowery indicated that purpose of the Public Workshop (workshop) was to receive public comments pertaining to proposed additions, amendments, and/or repeal of regulations pertaining to Chapter 641B of the Nevada Administrative Code. She further added that the purpose of the workshop was to solicit comments from interested parties on the general topics contained in the "Notice of Workshop to Solicit Comments on Proposed Regulations" (Notice). The Notice was mailed to: all individuals licensed by the Board, all persons on the Board's mailing list, all county libraries, and the Nevada State Library. The Notice had also been electronically posted to: the Board's website, the Legislative website and the State's Public Notice website.

Ms. Lowery summarized the topics to be addressed during the public workshop as follows (Agenda Item 2A):

Section 1 Licensure via endorsement, pursuant to Senate Bill 68, Section 45.

Section 2 Acceptance of postgraduate, supervised hours towards LISW licensure.

Section 3 Removes provisions of postgraduate clinical social work not supervised in an agency setting.

Section 4 Authorizes postgraduate supervised hours by licensed mental health practitioners who meet specific criteria.

Section 5 Requires 2.0 continuing education hours annually pursuant to Assembly Bill 93, Section 5.

Section 6 Every application for license renewal be accompanied by a certificate of continuing education completion on evidence-based suicide prevention and awareness.

Section 7 Removes certain requirements pertaining to the methods of continuing education delivery.

Section 8 Adds evidence-based suicide prevention and awareness to the list of acceptable continuing education subject matter.

Section 9 Definition of a, "dual relationship".

PUBLIC COMMENT (Agenda Item 3)

Ms. Lowery opened the floor to public comment pertaining to the general topics contained in the proposed regulation.

Phoebe Cochran, LSW

Ms. Cochran comments pertained to Senate Bill 68 (SB 68), licensure via endorsement. Ms. Lowery explained that under the provisions of SB 68, licensure via endorsement from other states would be easier for an individual who has been licensed a minimum of five years and who also had continuous licensure, and did not have any disciplinary actions or sanctions on their license. Ms. Cochran indicated that postgraduate supervised hours for individuals seeking eventual clinical licensure vary from state-to-state. She indicated that she works in the field of medical social work which currently does not appear to be a setting which the Board will accept for postgraduate supervised practice. Ms. Cochran expressed that an individual in another state could be licensed as an LCSW in Nevada for postgraduate training which may not be accepted by the Board if the same postgraduate training was conducted in this State.

Ms. Cochran also wanted clarification regarding Assembly Bill 93 (AB 93). She was concerned that the mandated course of continuing education was required annually for licensure, although each licensee's continuing education cycle is every two years. Ms. Lowery confirmed that the suicide awareness and prevention is, at least for now, required by each annual renewal. She acknowledged that having this requirement annually instead of following the every two-year requirement was an oversight during the Legislative session. The bill's sponsor indicated that she would be addressing this during the 2017 Legislative session.

Stan Shaft, LSW

Stan indicated that his renewal month is July, the same month that the required suicide training, pursuant to AB 93, goes into effect. He expressed disappointment that a grace period was not allowed for licensees who renew in July and are impacted by AB 93.

Phoebe Cochran, LSW

Ms. Cochran wondered about the suicide awareness and prevention course and its relevance to her practice. The patients in her field of practice, dialysis, are often terminally ill, with little time left. Suicide is not often a pressing issue for them.

Rawland Glass, LCSW

Mr. Glass inquired about CASAT courses and whether he could complete the same course consecutively. Ms. Lowery indicated that CASAT is a Board approved continuing education provider. He would not be able to take the same course two years in a row (i.e. consecutively).

Misty Allen

Ms. Allen, who supported AB 93 during the 2015 Legislative session, would be working with the Legislators during the 2017 Legislative session to amend the language so that compliance with this mandate would match the Board's continuing education cycle, and would be every two years.

Phoebe Cochran, LSW

Ms. Cochran wondered whether the Legislature's mandating suicide training implies that they could mandate other courses during future Legislative sessions?

Rawland Glass, LCSW

Mr. Glass noted that the mandate of future continuing education course content to licensing boards may also contain a political component.

Phoebe Cochran, LSW

Ms. Cochran wondered if the Board may consider dialysis as an appropriate setting for postgraduate supervised hours (clinical internships) at some point in the future. Ms. Lowery indicated that a job description supporting the provision of psychotherapy could be considered currently. She added that the Board is open to accepting a variety of agencies for clinical internships and that Ms. Cochran should contact her when she is ready to start her postgraduate supervised practice.

Marlyn Scholl, LCSW

Ms. Scholl indicated that she works for the V. A. (Veteran's Administration) as a suicide behavior specialist. She added that she sponsored AB 93 and that saving lives is her passion. Ms. Scholl indicated that the VA (V. A.) often provides suicide prevention training. Ms. Lowery asked if these courses could be available to social workers who are employed outside of the VA. Ms. Scholl indicated that she would look into this. She wondered if the Board would possibly consider whether the Board could modify the annual requirement. Ms. Lowery indicated that the Board was also shocked to learn that the way the bill had been written and passed by the Legislature was annually and that this was further confirmed by the Legislative Counsel Bureau (LCB).

Misty Allen

Ms. Allen indicated that the mandate was in the Board's NAC'S. Ms. Lowery indicated that the LCB had informed the Board's Executive Director, Kim Frakes, that the way the language had been drafted into the Board's NRS, it indicated that this would be conducted annually. She added that the Board is working with the information provided by LCB.

Marilyn Scholl, LCSW

Ms. Scholl asked for clarification pertaining to the Board's requirements for ethics any why this is required every two years, during a licensee's continuing education cycle. Ms. Lowery indicated that this was due to the fact that it was contained in the NAC'S.

Misty Allen

Ms. Allen wondered if a course of continuing education combining both suicide and ethics training would be approved. Ms. Lowery indicated that there was a strong possibility that both combined topics into one training could address both requirements.

Sandy Lowery, LCSW

Ms. Lowery added that the Board was not attempting to make things difficult for licensees. The Board is attempting to follow the law as instructed and interpreted. She added that the Board's Senior DAG (Deputy Attorney General) also came to the same conclusion when she read AB 93 and its applicability to the Board.

Rawland Glass, LCSW

Mr. Glass asked for clarification regarding when he would be required to submit proof of attending 2.0 CEU'S in suicide prevention and awareness. Ms. Lowery indicated that every time he submitted a license renewal, regardless of his CEU collection cycle, he would attach a certificate of completion.

Misty Allen

Ms. Allen wondered why proof of CEU completion (certificates) were required for each renewal. Ms. Lowery indicated that since this was an NRS mandate, proof of completion was mandated. Ms. Von Allen disagreed and indicated that she would research this further.

Marilyn Scholl, LCSW

Ms. Scholl indicated that she would look into this matter further as well. She acknowledged that this could become a significant workforce issue if licensees are not reading the written information provided to them by the Board regarding the mandated suicide prevention and awareness training.

Phoebe Cochran, LSW

Ms. Cochran noted that the Board had removed the requirement for continuing education courses to be, "interactive" and "time limited", and instead, a pre and post-test would be accepted. She indicated that this would have the potential to expand the availability of continuing education courses for licensees.

Vikki Erickson, LCSW

Ms. Erickson noted that often, online courses are more affordable than live, in-person trainings.

There were no additional comments from participants, including public comment. The public workshop pertaining to proposed regulations in LCB File Number R018-16 concluded at 3:00 p.m.

Respectfully Submitted,

Kim Frakes
Executive Director

ATTACHMENT B

List of Attendees at the

Public Workshop (Hearing) Minutes for April 15, 2016

Las Vegas and Reno

And

A Copy of One (1) Submitted Written Comment

**BOARD OF EXAMINERS FOR SOCIAL WORKERS
PUBLIC WORKSHOP TO SOLICIT COMMENTS
LCB FILE NO. R018-16**

APRIL 15, 2016
LAS VEGAS, NV

Name of/Attendee	Organización/Agency	Phone Number/Email
Amy Ellwood, LCSW		ae11wood@medicine.nevada.edu
Erma Piasta, LCSW	Erma Piasta's Therapy Service	(702) 908-6736
Saul Yaz, LSW	Nevada State Welfare, Belrose Office	(702) 486-1646
Shane Taylor, LSW	Nevada State Welfare, Belrose Office	(702) 486-1646
Gary Brewer, LSW		
Rebecca Cortez, LSW	Nevada State Welfare, Henderson Office	(702) 486-5000
Richard Newton, LSW	Nevada State Welfare, Henderson Office	(702) 486-5000
Ken McKay	Healthy Minds, Las Vegas	(702) 646-0188
Tracy Kwan, LSW	DWSS, Las Vegas	(702) 486-1646
Josef York, LCSW	NV DCFS-Children's Clinical Services	(702) 486-7500
Riley Kline, LCSW	Behavioral Bilingual Services	(702) 451-7542
Margarita de la Fuente, LSW		
Robert Durette		
Stefanie Maplethorpe, LCSW		stefaniemaplethorpe@gmail.com
Priscilla Lopez, LSW	Behavioral Bilingual Services	(702) 451-7542
Richard Newton, LSW	Nevada State Welfare, Henderson Office	(702) 486-5000
Rod Smith	Board of Ex. For Social Workers, President	(775) 688-2555
Annie Wilson, LSW	Board of Ex. For Social Workers, Vice Pres.	(702) 828-3111
Colleen York, LSW	Board of Ex. For Social Workers, Member	(702) 880-2100
Kim Frakes, LCSW	Board of Ex. For Social Workers, Exec. Dir.	(775) 688-2555
Kimberly A. Farkas, CCR	Sunshine Litigation Services	(702) 314-7707
TOTAL = 21		

**BOARD OF EXAMINERS FOR SOCIAL WORKERS
PUBLIC WORKSHOP TO SOLICIT COMMENTS
LCB FILE NO. R018-16**

APRIL 15, 2016
RENO, NV

Name of Attendee	Organization/Agency	Phone Number/Email
Misty Vaughan Allen	NV Office of Suicide	mvallen@health.nv.gov
Phoebe Cochran, LSW	Davita Dialysis, Reno	(775) 329-2100
Stan Shaft, LSW	Gentiva Hospice, Sparks	(775) 825-5008
Rawland Glass, LCSW		
Marilyn Scholl, LCSW	VA Sierra Nevada Health Care System	(775) 786-7200
Lea Cartwright	J. K. Belz and Associates	(775) 329-0119
Vikki Erickson, LCSW	Board of Ex. For Social Workers, Sec.-Treas.	(775) 688-1900
Sandra Lowery, LCSW	BESW-Internship Program Coordinator	(775) 688-2555
Corrie L. Wolden, CCR	Sunshine Litigation Services	(775) 323-3411
TOTAL= 9		

COPY

Stacy Holybee
10385 Regency Circle
Truckee, CA 96161

RECEIVED

MAY 13 2016

NV BOARD OF EXAMINERS
FOR SOCIAL WORKERS

May 12, 2016

State of Nevada
Board of Examiners for Social Workers
4600 Kietzke Lane, Suite C-121
Reno, Nevada 89502

Dear Board Members,

I am writing this letter in regards to AB 93. I am a strong supporter of this law, but I believe that its original intent has been misconstrued. I'm confident that this can be corrected, so that the original intent and benefit of the law are fulfilled.

During my graduate study and post-graduation continuing education, the topic of suicide was given very little attention. This is partly due to longstanding taboos on the topic, but also due to a lack of research and specialty providers able to provide this training. This is unfortunate, as a career in Social Work guarantees that you will encounter suicide many times over with your clients, whether they are having suicidal ideation, have survived an attempt, are bereft from the loss of a loved one to suicide, or – the most feared – losing a client to suicide.

I've discussed this issue with so many colleagues over the years, and they are almost unanimous in saying that they don't feel well enough prepared to handle suicide when it shows up in their practice. They are eager and enthusiastic when a training opportunity presents itself. When I talk to colleagues after they've attended a training, I always hear how helpful it was – and I can see the increased confidence during case presentations and consultations.

I realize that there are many professional requirements placed on Social Workers, and it can be difficult to add to that or make the process more burdensome. However, the Board has recognized that Ethics are such a critical area of practice that they warrant a special requirement. Similarly, the Board has recognized that competence in one's field of practice is also important enough to warrant a special requirement. Suicide is quite literally a matter of life and death, and so I fully support this training as an additional requirement.

Suicide is currently the 10th leading cause of death for Americans (the 2nd leading cause of death for ages 10-34), which is shocking given that it is preventable. For Nevada, in particular, suicide has been a major concern. Nevada led the nation in suicide rates for decades. Only within the last 10-15 years have we seen our ranking fall (now with the 5th highest rate). The progress has been slow, but

I really believe that the prevention efforts of dedicated individuals in our state is to credit for the modest success we've had. Success that has come in spite of rising suicide rates in other areas.

Nevada has shown great leadership in the area of suicide prevention, and this law is something we can be truly proud of. I have no doubt that Social Workers will benefit from the training, and I look forward to the positive impact that this could have on the people that we serve. That said, I would like to request that the Board make a concerted effort to rework it's interpretation of the implementation.

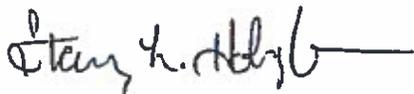
As I read the law, it seems clear to me that this requirement was meant to complement the current process for license renewal: credits due bi-annually, at the same time that we are expected to have completed our other continuing education requirements. Having spoken to those who advocated for the bill, it's clear that this was their intention, as well. I've spoken with other licensed mental health professionals, and it appears that their respective Boards have all implemented the requirement within the context of their usual license renewal process.

By making the requirement annual, we run the risk of diluting its value. Rather than giving Social Workers the usual two years to find a quality training that is relevant and interesting to their work, they are likely to instead scramble to any available options. While each training has value, it was my hope that this law would deepen knowledge on this critical subject, rather than force providers into what's first available. Additionally, the annual requirement also risks building anxiety and resentment among practitioners, which was certainly not intended and could be disastrous for their professional work.

In closing, I hope the Board will reconsider its interpretation of AB 93, and bring the requirement into line with the existing regulations for continuing education and license renewal. I have complete faith that this is possible under the law, especially knowing that a reinterpretation is supported by the bill's sponsors and advocates.

Thank you for your careful consideration of this issue.

Respectfully,

A handwritten signature in black ink, appearing to read "Stacy Holybee", with a horizontal line extending to the right.

Stacy Holybee, LCSW